

Membership Balance Plan
Board of Visitors, National Defense University

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, in accordance with the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Board of Visitors, National Defense University (“the Board”) as a discretionary advisory committee.
2. Mission/Function: The Board provides independent advice and recommendations to the Secretary of Defense and the Deputy Secretary of Defense, through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University, on the overall management and governance of the National Defense University (NDU) and its mission to support the joint warfighter by providing rigorous Joint Professional Military Education to members of the U.S. Armed Forces and select others in order to develop leaders who have the ability to operate and creatively think in an unpredictable and complex world.
3. Points of View: The Board shall be composed of no more than 12 members who are eminent authorities in the fields of defense, management, leadership, academia, national military strategy or joint planning at all levels of war, joint doctrine, joint command and control, or joint requirements and development.

Members of the Board who are not full-time or permanent part-time Federal officers or employees will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Board members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 101-3.130(a) to serve as regular government employee (RGE) members. The DoD, unless otherwise provided for by statute or Presidential directive, does not use representative members on DoD-established or supported advisory committees.

The DoD, in selecting potential candidates for the Board, reviews the educational, experiential, and professional credentials of individuals and bases its selection on this review and the subject matters expected to be handled by the Board. The Department has found that viewing the complex environmental issues facing the NDU through a multidisciplinary advisory committee provides the Department and, more importantly, the American public with a broader understanding of the issues on which to base subsequent policy decisions.

Membership will be fairly balanced in terms of points of view represented and the functions to be performed by the Board. The Board’s membership balance is not static and the Secretary of Defense may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Chairman of the Joint Chiefs of Staff, as the Board’s Sponsor.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on the matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest.

4. Other Balance Factors: None.

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5. Candidate Identification Process: The DoD, in selecting potential candidates to fill vacancies for the Board, reviews the educational and professional credentials of individuals with extensive professional experience in the areas of primary interest to the NDU. Potential candidates are identified by the NDU community, including existing Board members, and in some instances based upon discussions with other professionals. Nominations may be requested through the Federal Register, websites, and from all geographical locations within the United States or its Territories.

Once potential candidates are identified, the President, NDU, in consultation with the Board's Designated Federal Officer, reviews the credentials of each individual and narrows the list of potential candidates. During the President's review, he or she strives to achieve a balance between the educational and professional credentials of the individual candidates and the subject matters anticipated to be reviewed by the Board. After the list of candidates has been narrowed, it is forwarded to the Chairman of the Joint Chiefs of Staff for review and formal nomination to the Secretary of Defense.

Prior to consideration by the Secretary of Defense or the Deputy Secretary of Defense, the list of candidates undergoes a review by the Office of General Counsel of the Department of Defense and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's charter and membership balance plan. Following this review, the Chairman of the Joint Chiefs of Staff discusses his or her potential nominees with the Secretary of Defense or the Deputy Secretary of Defense and requests authorization to proceed with the appointments. Pursuant to DoD policy, only the Secretary or the Deputy Secretary of Defense can invite or authorize the appointment of individuals to serve on DoD established or supported advisory committees and subcommittees.

The appointment of Board members will be authorized by the Secretary of Defense or the Deputy Secretary of Defense, and administratively certified by the Secretary of the Army in accordance with DoD policies and procedures. Following Secretary of Defense or Deputy Secretary of Defense authorization, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

The Chairman of the Joint Chiefs of Staff has the delegated authority to administratively certify the appointment of Board members that were previously authorized by the Secretary of Defense or the Deputy Secretary of Defense. Board members will be appointed for a term of service of one-to-four years and their appointments will be renewed on an annual basis. No member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Board, including its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Board and subcommittee member vacancies will be filled in the same manner as described in the previous five paragraphs above.

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6. Subcommittee Balance: The DoD, as necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board.

Individuals considered for appointment to any subcommittee of the Board may come from the Board itself or from new nominees, as recommended by the Chairman of the Joint Chiefs of Staff and based upon the subject matters under consideration. Pursuant to Secretary of Defense policy, the Chairman of the Joint Chiefs of Staff is authorized to administratively certify the appointment of subcommittee members if the Secretary of Defense or the Deputy Secretary of Defense has previously authorized the individual's appointment to the Board or another DoD advisory committee. If this previous authorization has not occurred, then the individual's subcommittee appointment must first be authorized by the Secretary of Defense or the Deputy Secretary of Defense and subsequently administratively certified by the Chairman of the Joint Chiefs of Staff.

Subcommittee members, with the authorization of the Secretary of Defense or the Deputy Secretary of Defense, will be appointed for a term of service of one-to-four years, subject to annual renewals. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 101-3.130(a) to serve as RGE members.

7. Other: As nominees are considered for appointment to the Board, the DoD adheres to the Office of Management and Budget's Revised Guidance on Appointment of Lobbyists to Federal Advisory Committee, Boards, and Commissions (79 FR 47482; August 13, 2014) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared: August 30, 2016